

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

QWEST COMMUNICATIONS)	8:07CV430
CORPORATION,)	
)	
Plaintiff,)	
v.)	MEMORANDUM
)	AND ORDER
GERALD L. VAP, ANNE C. BOYLE,)	
TIMOTHY SCHRAM, ROD JOHNSON,)	
and FRANK LANDIS, JR., in their official)	
capacities as the Commissioners of the)	
Nebraska Public Service Commission,)	
)	
Defendants.)	

On February 4, 2008, Plaintiff's counsel was ordered to schedule a conference call with the undersigned and Defendants' counsel regarding Plaintiff's motion for preliminary injunction (filing 5). To date, that has not occurred, even though Defendants appear to have been served with summonses on February 4th.

The parties recently filed a stipulation to extend the time for Defendants to file a response to the motion, and for Plaintiff to file a reply (filing 24), but that filing is not responsive to the court's previous order. Absent prompt compliance with that order, the motion for preliminary injunction may be deemed abandoned and denied without prejudice.

Thus, while I will establish the requested schedule for filing briefs and evidence, the motion for preliminary injunction will not be taken under submission unless and until so ordered by the court.

IT IS ORDERED that:

1. The parties' stipulation (filing 24), treated as a motion, is granted, as follows:
 - a. Defendants may file a brief and evidence index in opposition to Plaintiff's motion for preliminary injunction by March 4, 2008.
 - b. Plaintiff shall have until March 11, 2008, to reply.
2. On or before March 3, 2008, Plaintiff's counsel shall contact the undersigned's secretary to schedule a conference call as was ordered by the court on February 4, 2008. Absent strict compliance with this order, Plaintiff's motion for preliminary injunction may be denied without prejudice and without further notice.

February 26, 2008.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge